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J1025 U.S. PTO

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: EPCL:001USC2

Prior Application Examiner:
Schwadron, R.

BOX PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

Classification Designation:
Unknown

Prior Group Art Unit: 1644

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|-----------------------------------|-------------------|
| <u>EXPRESS MAIL MAILING LABEL</u> | |
| NUMBER | EL564334495US |
| DATE OF DEPOSIT | November 19, 2001 |

REQUEST FOR FILING CONTINUATION APPLICATION
UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a continuation application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 08/291,332 filed August 17, 1994, which is a continuation of Serial No. 07/910,303 filed September 23, 1992, abandoned, entitled "THERAPEUTIC SYSTEMS USING ENZYMATICALLY-ACTIVE COMPOUNDS CAPABLE OF RELEASING CYANIDE FROM A CYANOGENIC PRODRUG HAVING A PORTION ABLE TO TARGET A CELL."

- ☒ 1. Enclosed is a copy of the prior application Serial No. 07/910,303 as originally filed, including specification, claims, drawings, and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in

the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

- (a) ☒ The inventorship is the same as prior Application Serial No. 08/291,332.
- (b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).
- (c) ☒ Priority of foreign patent applications number PCT/GB91/00104, filed January 24, 1991, and GB 9001641/1 filed January 24, 1990, in Great Britain is claimed under 35 U.S.C. § 119(a)-(e). The certified copy:
- ☐ is enclosed.
- ☒ has been filed in the prior application.

- ☒ 2. The Commissioner is requested to grant Applicants a filing date in accordance with Rule 1.53, and supply Applicants with a Notice of Missing Parts in due course, in accordance with the provisions of Rule 1.53(f).
- ☐ 3. Enclosed is a check in the amount of \$0.00 to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Part No. 9 below.

CLAIMS AS FILED IN THE PRIOR APPLICATION
LESS CLAIMS CANCELED BELOW

| FOR | NUMBER FILED | NUMBER EXTRA | RATE | FEE |
|-----------------------------------|-----------------|-----------------|-----------|---------------|
| Basic Fee ----- | | | | \$370.00 |
| Total Claims | - 20 = | X | \$18.00 = | \$.00 |
| Independent Claims | - 3 = | X | \$84.00 = | \$.00 |
| Multiple Dependent Claim(s) ----- | | | | \$-0-.00 |
| TOTAL FILING FEES: | | | | \$.00 |
| FOR | NUMBER FILED | NUMBER EXTRA | RATE | FEE |

- ☒ 4. Applicant is entitled to Small Entity Status for this application.
- ☐ (a) A small entity statement is enclosed.
- ☒ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ (c) Small entity status is no longer claimed.
- ☐ 5. If the check is missing or insufficient, the Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this application, or credit any overpayment to Fulbright & Jaworski L.L.P. Account No.: 50-1212/ .
- ☐ 6. Enclosed is a copy of the current Power of Attorney in the prior application.
- ☒ 7. Address all future communications to:

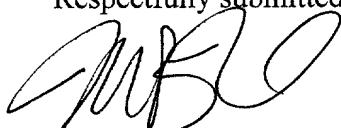
Mark B. Wilson
FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 536-3035

- 25096229.1
- ☒ 8. The prior application is presently assigned to Imperial Cancer Research Technology Limited.
- ☐ 9. Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included in the check at No. 3 above and said fee has been calculated after calculation of claims and after amendment of claims by the preliminary amendment.
- ☐ 10. Cancel in this application claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained).
- ☒ 11. Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending application Serial No. 08/291,332 filed August 17, 1994, which is a continuation of Serial No. 07/910,303 filed September 23, 1992, abandoned, which is a U.S. national stage application under 35 U.S.C. § 371 of PCT/GB91/00104 filed January 24, 1991, which claims priority to Great Britain Application No. GB 9001641/1 filed January 24, 1990--.
- ☐ 12. Enclosed are formal drawings.
- ☐ 13. An Information Disclosure Statement (IDS) is enclosed.
- ☐ (a) PTO-1449.
- ☐ (b) Copies of IDS citations.
- ☐ 14. Transfer the sequence information, including the computer readable form previously submitted in the parent application, Serial No. filed , for use in this application. **Under 37 C.F.R. § 1.821(e), Applicant states that the paper copy of the sequence listing in this application is identical to the computer readable copy in parent application Serial No. filed . Under 37 C.F.R.**

§ 1.821(f), Applicant also states **that the information recorded in computer readable form is identical to the written sequence listing.**

- ☐ 15. Other: _____.
- ☒ 16. Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,



Mark B. Wilson
Reg. No. 37,259
Attorney for Applicant

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Date: November 19, 2001

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